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REMARKS

The Examiner has objected to Claims 14, 35 and 56 because of informalities. Applicant emphasizes that such objection has been avoided by virtue of the clarifications made hereinabove to the claims.

The Examiner has rejected Claims 12, 33, and 54 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant emphasizes that such rejection has been avoided by virtue of the cancellation of such claims made hereinabove.

The Examiner has rejected Claims 1, 3, 21, 22, 42, 43, 45, and 63 under 35 U.S.C. 102(b) as being clearly anticipated by Chang (U.S. Patent No. 5,724,425). The Examiner has also rejected Claims 1, 4, 22, 25, 43, and 46 under 35 U.S.C. 102(b) as being clearly anticipated by Fischer (U.S. Patent No. 5,311,591). The Examiner has further rejected Claims 1, 2, 5-7, 16, 22, 23, 26-28, 37, 43, 44, 47-49, and 58 under 35 U.S.C. 102(e) as being clearly anticipated by Cheng (U.S. Patent No. 6,151,643). The Examiner has rejected Claims 1, 22, and 43 under 35 U.S.C. 102(e) as being clearly anticipated by Shear (U.S. Patent No. 6,157,721). In addition, the Examiner has rejected Claims 1, 10, 11, 13-15, 17-20, 22, 31, 32, 34-36, 38-41, 43, 52, 53, 55-57 and 59-62 under 35 U.S.C. 102(e) as being clearly anticipated by Larose (U.S. Patent No. 6,108,420). Further, the Examiner has rejected to Claims 1, 8, 9, 22, 29, 30, 43, 50 and 51 under 35 U.S.C. 102(e) as being clearly anticipated by Mirov (U.S. Patent No. 6,138,236).

Applicant respectfully disagrees, especially in view of the amendments made hereinabove. Specifically, applicant points out the incorporation of Claims 2, 23, and 44 into each of the independent claims. By virtue of the incorporation of Claims 2, 23, and 44 into each of the independent claims, the rejections under Chang, Fischer, Shear, Larose, and Mirov are deemed moot, since such references do not include the subject matter of such claims.

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The Examiner only relies on the following excerpt in Cheng to make a prior art showing of applicant's claimed "wherein said other signature data is user signature data" (see all of the independent claims).

"When the registration process is completed, the service provider computer returns a unique registration number to the user. This number may be stored on the client computer and used during subsequent logins to identify the user to the service provider computer. The registered users are authenticated by the service provider computer, using conventional authentication mechanisms, such one or more passwords, digital signature, certificates, or the like. Authentication ensures that only users who are properly authorized by the service provider can obtain updates for software products." (col. 7, lines 35-45)

Applicant points out that Cheng fails to disclose, teach or even suggest applicant's claimed "user signature data". In particular, Cheng simply discloses authentication of registered users "by the service provider". Applicant, on the other hand, discloses and claims "user signature data that allows a particular user to authorize an additional computer program module for use with an installed core computer program" (see all independent claims).

This clearly differs from Cheng in that applicant's claimed invention provides a means for users to authenticate a computer program, while Cheng relies on a service provider computer to provide authentication which "ensures that only users who are properly authorized by the service provider can obtain updates for software products". Thus, applicant's claimed invention allows a user to authorize a computer program for use with an installed computer program with or without the authorization of the installed computer program's provider, while Cheng requires the service provider to authorize the user.

Applicant further notes numerous deficiencies with respect to the Examiner's application of the prior art to applicant's dependant claims. Just by way of example, the Examiner relies on the following excerpt in Chang to make a prior art showing of applicant's claimed "wherein said additional computer program module is refused

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authorization for use with said core computer program unless said module signature matches both of said core signature data and said user signature data" (see Claim 3).

"The computing platform recomputes the message digest of the application writer's license, and compares the received message digest with the recomputed message digest, such that if the digests are not equal, the software passport is not considered genuine and is rejected. If the message digests are equal, the hardware platform extracts the application writer's public key from the application writer's license, and extracts the application writer's digital signature. The hardware platform then recomputes the message digest of the binary code comprising the application software to be executed, and decrypts the application writer's digital signature using the application writer's public key. The hardware platform then compares the recomputed message digest for the binary code with the application writer's decrypted signature, such that if they are equal, the binary code is executed by the hardware platform." (col. 4, lines 24-40)

Applicant respectfully asserts that the above excerpt from Chang fails to even suggest refusing to authorize an additional computer program module for use with a core computer program when the module signature data fails to match both core signature data AND user signature data. In fact, the above excerpt discloses comparing a "message digest of the application writer's license" with a "received message digest", which suggests that it is not a user that creates the signature data but rather the application writer. Further, Chang even discloses, "a software passport is then generated which includes the application writer's digital signature" (col. 3, lines 32-34).

Applicant further brings the Examiner's attention to applicant's added Claims 64-66, which include the following subject matter believed to be allowable:

"wherein said user signature data is utilized to authorize said additional computer program module which is from a third party for use with said core computer program" (See Claim 64 et al.);

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"wherein said user signature data is utilized to authorize said additional computer program module which is generated by said user for use with said core computer program" (See Claim 65 et al.); and

"wherein said core computer program keeps a list of module providers which have been previously authorized by said user signature data, such that said user signature data becomes associated with additional computer program modules provided by module providers indicated on said list" (See Claim 66 et al.).

A notice of allowance or a specific prior art showing of each of the foregoing limitations, in combination with the remaining claim elements, is respectfully requested.

Reconsideration is respectfully requested.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. Applicants are enclosing a check to pay for the added claims. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NAIIP161_00.113.01).

Respectfully submitted,
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